

63G-2-208. Public repository of legislative email.

(1) As used in this section, "repository" means the repository of email described in Subsection (2).

(2) (a) On or before January 1, 2014, the Legislature shall post on its website a publicly accessible repository containing email that legislators transfer to it as provided in this section.

(b) The repository shall be searchable by sender, receiver, and subject.

(3) A legislator may transfer to the repository an email that the legislator sent or received.

(4) An email in the repository may be removed from the repository if:

(a) the email was accidentally transferred to the repository;

(b) it is determined that the email is not a record or that the email is a private, protected, or controlled record;

(c) the email is deleted pursuant to the Legislature's record retention policy; or

(d) for an email that is not removed from the repository earlier under Subsection (4)(a), (b), or (c), at least two years have passed after the day the legislator first sent or received the email.

(5) A legislator's failure to transfer an email to the repository does not alone mean that the email is a private, protected, or controlled record.

Enacted by Chapter 231, 2013 General Session